

CONCORD CITY COUNCIL
WORK SESSION
DECEMBER 10, 2019

The City Council for the City of Concord, North Carolina, held a work session on December 10, 2019, at 4:00 p.m., in the Council Room of City Hall, with Mayor William C. Dusch presiding. Council members were present as follows:

Members Present:

Mayor Pro-Tem John A. Sweat, Jr.
Council Member David W. Phillips
Council Member W. Brian King
Council Member Ella Mae P. Small
Council Member JC McKenzie
Council Member Terry L. Crawford
Council Member Jennifer H. Parsley

Others Present:

City Manager, Lloyd Wm. Payne, Jr.
City Attorney, Valerie Kolczynski
City Clerk, Kim J. Deason
Department Directors

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The following agenda was presented for discussion:

Presentations:

Presentation of a Proclamation to Derek "Tank" Schottle.

Mayor Dusch recognized Emergency Management Coordinator, Ian Crane, for obtaining the North Carolina Associate Emergency Manager Certification.

Presentation of retirement plaque to Captain Lester H. Cragan, III for over 30 years of service with the City of Concord Fire Department.

Informational Items:

Presentation of the Independent Auditor's report on the comprehensive annual financial report for fiscal year ending June 30, 2019.

Public Hearings:

Conduct a public hearing to consider adopting an ordinance amending Articles 7, 8 and 14 of the Concord Development Ordinance (CDO) relative to Permissible uses.

The Planning and Neighborhood Development Deputy Director, Kevin Ashley, stated ten (10) changes are being proposed to the permitted use chart in Article 8. He explained each one.

They are as follows: 1) Removal of townhomes from C-2 district and clarification of how they are allowed in the O-1 district; 2) Restriction of multifamily in the commercial districts and clarification of how they are allowed in O-1; 3) Clarification of how accessory dwelling units are permitted; 4) Clarification of the definition of homeless shelter/soup kitchen and adoption of spacing standards; 5) Removal of sexually oriented businesses as special uses to comply with the First Amendment; 6) Adoption of a category of event center (not a banquet home) and associated design standards; 7) Removal of self-service storage/mini-warehouses from the C-2 district; 8) Addition of a requirement for a repair bay for automotive repair and tire sales; 9) Removal of warehousing/distribution from I-2 and permitting them as special uses with supplemental standards; and 10) Adoption of

supplemental standards and a modernized definition for truck terminals.

Conduct a public hearing to consider adopting an ordinance amending the 2030 Land Use Plan relative to Table 5-3, Future Land Use Categories.

The Planning Manager, Starla Rogers, stated the proposed amendment is needed to add and delete zoning classifications from several Land Use Categories to be in conformance with the overall intent of the Land Use Plan and to accommodate accurate and City zoning districts

Conduct a public hearing and consider adopting an ordinance annexing one parcel of land, located at 301 Goodman Rd (PIN 4690-48-8666) owned by Steven Greer Poplin and Mary Beth Poplin.

The Planning Manager stated Jason Banks, with Orsborn Engineering, has requested annexation of the subject property in order to construct additional parking for an industrial project directly to the south. The subject property is contiguous to the City of Concord primary corporate limits. If approved, staff intends to administratively propose a rezoning to I-2 (Heavy Industrial). The 2030 Land Use Plan (LUP) designates the subject property as Industrial and I-2 is a corresponding zoning district to the Land Use Category.

Conduct a public hearing and consider adopting an ordinance for annexation of four (4) parcels located on the northeast side of the Rocky River Road and Lower Rocky River Road intersection.

The Planning Manager stated the subject property is adjacent to the southwest corner of the Mills and Rocky River project, and west of Rocky River Elementary School. The property is currently zoned CR (Countryside Residential) in Cabarrus County which permits a density of up to one (1) dwelling unit per acre. She stated under the current annexation/rezoning proposal, density would be +/- 1.95 dwelling units per acre.

The subject property is located within the 2030 Land Use Plan's Suburban Neighborhood Land Use Category, Conservation District Character Area, and the Central Area Plan's Very Low Density development guide. RV and conditional district variations are compatible zoning classifications to the Land Use Category. However, the Central Area Plan's guidance only allows density up to 1 unit per two acres or 2 units per acre with additional development standards.

The Planning Manager explained the LUP Criteria as it relates to conservation district character area. She stated it is staff's opinion is that the project does not meet the intent of the Conservation Subdivision section of the 2030 Land Use Plan as no specified Low Impact Development Standards have been discussed, there is an absence of tree survey/tree save proposal, there is no defined incorporation of native plant species, and the lack of a mixture of housing types. If approved, staff would recommend RE (Residential Estate) for conformity with the surrounding area and the 2030 Land Use Plan.

Mayor Dusch asked when updates to the LUP conservation standards would be finalized. The Planning Manager stated an amendment to the LUP would be on the January City Council agenda for Council's consideration. She also stated staff informed the applicant of such, but the applicant moved forward with the request.

Council Member McKenzie stated, in his opinion, the request should be tabled until the amendments to the LUP are complete.

Conduct a public hearing and consider adopting an ordinance for annexation of five (5) parcels located to the southeast of the Fountainview Ave. and Roberta Rd intersection, and southeast of the Marlboro Drive SW and Shadowcrest Dr SW intersection.

The Planning Manager stated portions of this property were part of an annexation request that came before City Council on August 8, 2019 for the purpose of establishing sixteen (16) single family attached units (townhomes) on three (3) parcels. The annexation petition was denied, as City Council did not find the proposed use consistent with the surrounding

neighborhood. The same owner and applicant have now submitted a new application and site plan for a single-family development, with the inclusion of two additional parcels.

Staff's interpretation of the Land Use Plan relative to the proposal is that the proposed 7,800-13,608 square foot lots are substantially smaller than the surrounding properties (which average 30,000 square feet), and therefore, are inconsistent with the surrounding neighborhood and intent of the Land Use Plan.

The Planning Manager stated the Solid Waste Department does not recommend the proposed design from a service standpoint.

Presentations of Petitions and Requests:

Consider approving and submitting a Letter of Support from the City of Concord for the Sam Leder "I've Got Your Back" Scholarship.

Mayor Dusch stated Brian Hiatt would be in attendance at the City Council meeting to explain the Scholarship.

Consider authorizing the City Manager to negotiate and execute a contract with Hall Contracting Corporation for the installation of the NC Highway 49 30" water main.

The Engineering Director, Sue Hyde, stated the lowest responsible bidder was Hall Contracting Corporation in the amount of \$1,927,783, which is under budget.

Consider declaring as surplus and authorizing the sale of eight (8) Caterpillar 3516 diesel Peak Shaving Generator units.

The Electric Systems Director, Bob Pate, stated a request for proposals to purchase the generators and perform the decommissioning work was issued. The highest responsive bid was received from KTF Contractor Services LLC. in the amount of \$50,100 with net proceeds to the City.

Consider appointing/reappointing two members (1 board member and 1 alternate) to serve on the Centralina Council of Governments (CCOG) Board of Delegates for CY 2020.

Consider making appointments/reappointments to the Transportation Advisory Committee (TAC) and the Technical Coordinating Committee (TCC) of the Cabarrus-Rowan Urban Area Metropolitan Planning Organization (CRMPO).

Consider making an appointment to the Water Sewer Authority of Cabarrus County (WSACC) Board.

Consider a Preliminary Application from Melissa Jo Sides.

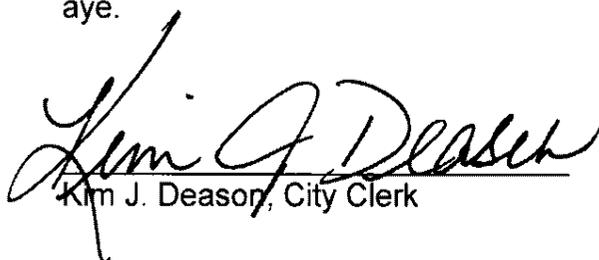
Additional Items:

Consider making an appointment to the Barber Scotia Property Task Force Committee.

Consent Agenda:

There was no discussion regarding the Consent Agenda.

There being no further business to be discussed, a motion was made by Council Member Phillips, seconded by Council Member Parsley, and duly carried, to adjourn—the vote: all aye.


Kim J. Deason, City Clerk


William C. Dusch, Mayor